

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TONY J. JACKSON,

Plaintiff,

v.

KLYE MCNEIL,

Defendent.

No. 3:19-6245RJB

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

This matter comes before the Court on the Report and Recommendation of Magistrate Judge Theresa L. Fricke. Dkt. 13. The Court has considered the Report and Recommendation (Dkt. 13), objections to the Report and Recommendation (Dkt. 14), and the remaining record.


The Report and Recommendation (Dkt. 13) should be adopted. The Plaintiff's objections do not provide grounds to reject the Report and Recommendation. Considering the facts alleged, the Plaintiff has failed to demonstrate that he has stated a claim pursuant to *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971). This case should be dismissed without prejudice for failure to state a claim.

It is **ORDERED** that:

- (1) The Court adopts the Report and Recommendation (Dkt. 13).
- (2) This case is dismissed without prejudice.

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2 (3) The Clerk is directed to send copies of this Order to Petitioner, counsel for
Respondent, and to the Hon. Theresa L. Fricke.

3 **DATED** this 30th day of October, 2020.

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6 ROBERT J. BRYAN
7 United States District Judge
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